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DONELAN, CLEARY, WOOD & MASER, P.C.

EX PARTE OR LATE FILED

ATTORNEYS AND COUNSELORS AT LAW

SUITE 750

1100 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-3934

OFFICE: (202) 371-9500

TELECOPIER: (202) 371-0900

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MAY 20 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 20, 1998

Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC Docket 94-102, wireless E9-1-1; *ex parte* communication

Dear Madame Secretary:

The National Emergency Number Association ("NENA"), the Association of Public-Safety Communications Officials-International, Inc. ("APCO") and the National Association of State Nine One One Administrators ("NASNA") are compelled to answer portions of the April 1st Reply of the Cellular Telecommunications Industry Association ("CTIA") in the captioned docket. CTIA confuses two issues:

1. Are there choices in transmission technology for transporting wireless caller ID and caller location to Public Safety Answering Points ("PSAPs") under the FCC's rules for enhanced wireless access to 9-1-1 ("E9-1-1") and the supportive industry standards?
2. Who gets to choose between or among the options -- the wireless carrier or the public safety administrative authority?

The answer to the first question is clearly yes, and we do not differ with CTIA here. Contrary to CTIA's assertion (Reply, 4), none of our organizations has abandoned the principle of technological neutrality which also animates the FCC's regulations. The rules at 47 C.F.R. §20.18 deliberately do not specify whether the digits comprising a wireless caller's callback number and the digits representing the caller's location are to be sent together on the same path ("Call Associated Signaling" or "CAS") or on separate paths to be ultimately reunited at the PSAP ("Non-Call Associated Signaling" or "NCAS").

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We supported the development of the TIA interim standard, J-STD-034, and we agree that this standard, like the FCC's rules, is silent on the means by which the caller ID and location information is conveyed. This is so obvious from a look at even a few pages of the document¹ that we are mystified by CTIA's decision to append the entire 100-plus pages of the standard. The initials CAS and NCAS, and the concepts they represent, are nowhere to be found.

The fact that our organizations stand for technological neutrality, however, does not mean that our 9-1-1 manager/members do not have preferences or constraints pointing toward one method of transmission over another. Even organizationally, NENA has expressed a preference by adopting for review a voluntary standard on "enhanced MF signaling" between the E9-1-1 tandem and the PSAP that would allow the transport of 20 digits simultaneously on the same path. The draft standard cautions, however, that NENA has no quarrel with NCAS where it makes sense owing to the state of the wireline network and/or a 9-1-1 authority's receiving equipment and budgetary outlook. (See our Opposition to CTIA, March 18, 1998, 4)²

These considerations lead to the second question: Who gets to choose among technological options? Our answer should not have been surprising. If 9-1-1 authorities are expected to pay for their own upgrades and, at least partly, for those of wireless and wireline carriers, in the rare event of disagreement, we must be allowed to choose. And not for pocketbook reasons alone. We must choose because we are responsible for the reliable operation of a system that includes wireless and wireline carriers and PSAPs. (Opposition, 2-3)

CTIA invokes the purported inefficiency of "multiple and redundant call delivery methods within the same (wireless carrier) system area" (Reply, 11), but does not mention the equally likely possibility of multiple and redundant call delivery methods imposed by each of half a dozen CMRS

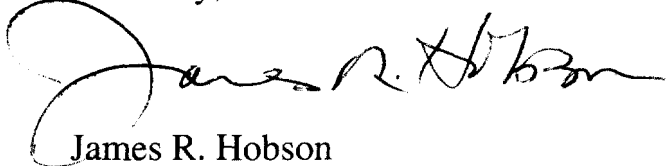
¹ For example, Figures 2 and 3 are block diagrams which simplify the call path elements into two wireless launchers, a wireline selective router or access tandem and a PSAP receiver. There are no specifications as to how the identifying and locating information is conveyed.

² At note 22, CTIA attempts to make it appear that the NCAS solution is the only forward-looking answer to certain Intelligent Transportation System ("ITS") opportunities for remote acquisition of information about highway mishaps and how to respond to them. We disagree. CAS solutions to wireless E9-1-1 caller ID and location are fully compatible with NCAS approaches to, say, augmented personal medical information retrieval.

providers in that same area on a single PSAP. Each side's concerns are worth weighing, and this is the best reason for opposed parties to reason together. We have yet to be shown a case of disagreement that amounts to blocking by either side. If that were to happen, a state authority or the FCC might have to resolve the dispute. In any event, carriers are not faced with a "CALEA" dilemma (Reply, note 21) because a 9-1-1 authority that has not reached agreement with its carrier(s) is not ready to make the formal request that triggers E9-1-1 obligations.

Thus, the 9-1-1 authority's incentive to try to meet the wireless carrier's needs is the fundamental requirement to implement wireless enhanced 9-1-1 in his area. The obligation is imposed not by the FCC but by the duty to serve citizens faithfully. That is a powerful motivation which makes unnecessary and mischievous the declaration sought by CTIA. The FCC should say no.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Hobson". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

James R. Hobson
Counsel for NENA